

PRESERVED

App. F. IX-4

Previous References.

1942-43

(Legis)

File No. 19-42

Serial Nos. 2

Later References.

36

GENERAL AND REVENUE SECRETARIAT

Serial Nos.

Part B for

SUBJECT

Mysore city Municipalities (Amendment) (Emergency Continuation) Act
1943

Direct publication of

as Act No. ~~XVI~~ of 1943

To the compiler Mysore Gazette

/ No. RL 930 Legis 19-42-2 dated 22-3-48

THE MYSORE CITY MUNICIPALITIES (AMENDMENT)
EMERGENCY ACT 1942.

WHEREAS the Government of His Highness the Maharaja is satisfied that circumstances exist which render it necessary to take immediate action to amend the Mysore City Municipalities Act, 1933, for the purpose hereinafter following:

NOW THEREFORE, in exercise of the powers conferred by sub-section (1) of section 31 of the Government of Mysore Act 1940, (XVIII of 1940)

It is hereby enacted as follows:-

1. (1) This Act may be called the Mysore City Municipalities (Amendment) Emergency Act, 1942.

(2) It shall come into force at once.

2. In section 23 of the Mysore City Municipalities Act 1933, the following sub-section shall be added, after sub-section (13), -
namely:-

In cases not otherwise provided for
"(13 A) ~~Where, in circumstances not~~ ^{provided for elsewhere} provided for elsewhere in this Act, the President of a Municipal Council ~~cannot function~~ ^{is unable to perform his duties} ~~is disabled or prevented from functioning~~ as such, the Government may ^{so} ~~for the period~~ during which he ~~cannot function~~ ^{is unable to perform his duties} or is so disabled or prevented, ^{so} ~~authorise the~~ Municipal Commissioner, Vice-President, Chief Officer or such other authority as it may deem fit to perform all the duties and exercise all the powers of the President under this Act."

During the period during which he cannot perform his duties, not exceeding his term of office

BOMBAY MUNICIPAL CORPORATION

MAYOR'S ARREST LEADS TO A DEADLOCK

BOMBAY, Aug. 13.

There is a possibility of a deadlock in the affairs of the Bombay Municipal Corporation. The Corporation met on Monday and it is not known when it will meet again.

Under the City of Bombay Municipal Corporation Act, the authority to fix meetings of the Corporation is the Mayor, but in the absence of the Mayor or if he is incapable of doing this, the power is vested in the Chairman of the Standing Committee to fix a meeting. Now, Mr. Yusuf Ali, the Mayor, is under detention and it is within the competence of the Chairman of the Standing Committee, Motichand G. Kapadia, to fix the next meeting. But the Congress Municipal Party, it is understood, practically decided that the party which forms a majority in the Corporation or any of its members should not assist in the convening or conduct of meetings. Mr. Kapadia, being a member of the Congress Party, now feels that he cannot go along with the decision of his party. At the same time, it is being urged on him that he should not be a party to bringing about a deadlock in the administration. It is pointed out that the Executive Committee will be hampered if the Corporation does not meet from time to time. The members of the Congress Party, unless a decision is arrived at to the contrary later, will not attend meetings of the Corporation till the political situation eases. At the same time, there is an intention on their part to resign their membership of the Corporation. Under the circumstances, it is being urged that the Chairman of the Standing Committee should convene meetings of the Corporation and the Standing Committee from time to time or that he and other members of the Congress Party should happen to be Chairmen of the Advisory Committees should resign their offices so that others may be elected and the work may go on smoothly. In the event of the Standing Committee Chairman's reluctance to convene meetings of the Corporation or of the Standing Committee, the Act provides that the Government could be asked to end the deadlock.



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SATURDAY, AUGUST 15, 1942.

"THE BROAD INTENTIONS"

WE are not surprised to find *The Daily Herald* affecting the role of candid friend and providing the Labour Party Executive's amazing statement with an unctuous gloss. But when it pompously tells the world that the Executive's opinion that the arrest of Congress leaders was 'a timely and unavoidable precaution' is 'the verdict of a movement which has always been the spearhead of every effort in Britain to advance the cause of Indian freedom' we can only marvel at our contemporary's monumental ignorance alike of the realities in India to-day and the record of official Labour in praise whereof it sings hosannahs. British Labour took care to shed its idealism when it became respectable; whether during their brief and inglorious periods of office or in their long wanderings in the wilderness of Opposition, the Party bosses were consistently out-Heroding Herod so far as India was concerned. They never allowed the undoubted sympathy and understanding for India that was to be found among the back-benches to influence the official policy of the Party in any way.

this Prof. Coupland strenuously argues that "if the Governor cannot legally concede full power to his Council, still less can the Governor-General"; that "the conversion of a quasi-Cabinet into a real Cabinet would necessitate a new Act of Parliament"; that "it would presumably have to be a long and complicated Act and it would certainly effect a major constitutional change". Now, none of these objections could be regarded as insuperable if Britain were really anxious to conciliate India. If Parliament could be willing—and Prof. Coupland says it was—to pass 'a short amending Act' such as would be necessary to remove the present restriction that at least three members of the Viceroy's Council must have had ten years' official service, one cannot see why it should have been unwilling to reduce the Viceroy to the same position as the Provincial Governors by dropping the clause giving him powers to disregard his Council in an emergency; and it is most certainly absurd to contend that this would have necessitated 'a long and complicated Act.'

But let us follow Prof. Coupland's argument. Having, on an examination of the legal position, satisfied himself that "the most that the Viceroy could do was to say that he would make it a custom to deal with his Council as far as possible as if it were a Cabinet", he goes on to contend that even under these conditions there would be a real 'transfer of power' in fact if not in law, since the Indian majority in the Council by combining among themselves

DECLARE INDIA'S FREEDOM**MR. T. R. V. SASTRI'S CALL TO BRITAIN****CO-OPERATION WITH CONGRESS URGED**

MADRAS, Aug. 14.

"A solution must be found, and must be found without much delay for the situation that has come about in India", says Mr. T. R. Venkatarām Sastri, ex-President of the National Liberal Federation, in a statement to the Associated Press.

Mr. Sastri continues: Unending distrust and friction are the unavoidable fruits of the time-honoured British method of dealing with movements for freedom by alternate doses of repression and concession. A supreme act of Britain embodying and evoking trust can alone save mutual goodwill as between the two countries. The stage which the Indian freedom movement has reached, and the stage of the war just now alike require such an act on the part of Britain. Whether the disorders grow and spread or are suppressed and driven underground, the consequences will be disastrous at the next serious emergency requiring united front of the Government and people of India.

The solution must bring the Congress into the field of co-operation, as *The Manchester Guardian* rightly suggests. To this end, negotiation with the Congress will be necessary. A declaration of India's freedom, coupled with what Bertrand Russell compendiously calls "immediate civil independence" during the war can be framed without any prejudice to the due prosecution of the war. If the future becomes guarantee Britain will secure the positive co-operation of the whole of India. Paradoxical as it may sound, such a declaration of freedom may lead to a "closer union between the two countries."

All controversial internal problems will, of course, be dealt with in the post-war settlement of a constitution for India.

ACT No. XXXVIII of 1942.

THE MYSORE CITY MUNICIPALITIES (AMENDMENT)
EMERGENCY ACT, 1942.

(Received the assent of His Highness the
Maharaja on the 22nd day of September 1942)

WHEREAS the Government of His Highness the
Maharaja is satisfied that circumstances exist which
render it necessary to take immediate action further
to amend the Mysore City Municipalities Act, 1933,
for the purpose hereinafter following;

NOW, THEREFORE, in exercise of the powers
conferred by sub-section (1) of section 31 of the
Government of Mysore Act, 1940 (XVIII of 1940);

It is hereby enacted as follows:

1. (1) This Act may be called the Mysore City
Municipalities (Amendment) Emergency Act, 1942.

(2) It shall come into force at once.

2. In section 23 of the Mysore City Municipalities
Act, 1933 (hereinafter referred to as the said
Act), the following sub-section shall be added after
sub-section (13), namely:-

"(13 A) In cases not otherwise provided
for, if the President of a municipal council
is, for any reason, unable to perform his
duties or exercise his powers as President or
is disabled or prevented from performing or
exercising such duties and powers, the Govern-
ment may, for the period during which he is
unable or disabled or prevented, authorise the
Vice-President or, in his absence or on his
neglect or inability, the Municipal Commissioner

to perform all the duties and exercise all the powers of the President under this Act."

3.(a) In clause 7 of section 27 of the said Act for the word "one-third", the word "one-fifth" and for the words "provided that not less than one-fifth of the whole number of councillors or five councillors, whichever is greater, be present", the words "provided that not less than four councillors be present" shall be substituted.

(b) In clause 13 of section 27 of the said Act, for the words "with the consent of a majority of the councillors present", the words "with the consent of not less than four-fifths of the whole number of councillors present" shall be substituted

to perform all the duties and exercise all the powers of the President under this Act."

3.(a) In clause 7 of section 27 of the said Act for the word "one-third", the word "one-fifth" and for the words "provided that not less than one-fifth of the whole number of councillors or five councillors, whichever is greater, be present", the words "provided that not less than four councillors be present" shall be substituted.

(b) In clause 13 of section 27 of the said Act, for the words "with the consent of a majority of the councillors present", the words "with the consent of not less than four-fifths of the whole number of councillors present" shall be substituted.

(Sd.) N. MADHAVA RAO,

D e w a n.

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS
E MAHARAJA OF MYSORE

Order No. K.L: 342. ./Legis. 19-42-1.

Dated, Bangalore, 26th Sept. '42.

Ordered that the accompanying Mysore City Municipalities (Amendment) Emergency Act, 1942, which received the assent of His Highness the Maharaja on the 22nd day of September 1942, be published as Act No. XXXVIII of 1942 in the Mysore Gazette for general information.


Secretary to Government,
Law Department.


To

- (1) The Compiler, Mysore Gazette, for publication in Part IV of the Gazette Extraordinary dated 26th September 1942 in English and Kannada, and for supply of spare copies in English and Kannada, as per standing orders.

Copy to
(2) The Translation Branch.

THE MYSORE CITY MUNICIPALITIES (AMENDMENT)
EMERGENCY ACT, 1942.

*(Received the assent of His Highness the Maharaja on
the 22nd day of September 1942)*

WHEREAS the Government of His Highness the Maharaja is satisfied that circumstances exist which render it necessary to take immediate action further to amend the Mysore City Municipalities Act, 1933, for the purpose hereinafter following;

NOW, THEREFORE, in exercise of the powers conferred by sub-section (1) of section 31 of the Government of Mysore Act, 1940 (XVIII of 1940).

It is hereby enacted as follows:-

1. (1) This Act may be called the Mysore City Municipalities (Amendment) Emergency Act, 1942.

(2) It shall come into force at once.

2. In section 23 of the Mysore City Municipalities Act, 1933, (hereinafter referred to as the said Act), the following sub-section shall be added after sub-section (13), namely:-

"(13 A) In cases not otherwise provided for, if the President of a municipal council is, for any reason, unable to perform his duties or exercise his powers as President or is disabled or prevented from performing or exercising such duties ^{and} ~~or~~ powers, the Government may, for the period during which he is unable or disabled or prevented, authorise the Vice-President or, in his absence or on his neglect or inability, the Municipal Commissioner to perform all the duties and exercise all the powers of the

President under this Act."

3.(a) In clause 7 of section 27 of the said Act for the word "one-third", the word "one-fifth" and for the words "provided that not less than one-fifth of the whole number of councillors or five councillors, whichever is greater, be present", the words "provided that not less than four councillors be present" shall be substituted.

(b) In clause 13 of section 27 of the said Act, for the words "with the consent of a majority of the councillors present", the words "with the consent of not less than four-fifths of the whole number of councillors present" shall be substituted.



(Sd) N. Madhava Rao
x - - -

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS
THE MAHARAJA OF MYSORE

Order No. RL 930 64 in 19-42-2

Dated, Bangalore, 22nd Mar 1943

Ordered that the accompanying Mysore city Municipalities
(Amendment) (Emergency continuance)
Act, 1943

which received the assent of His Highness the Maharaja,
on the 17th day of March
1943, be published as Act No. XVI
of 1943, in the Mysore Gazette, for general information.

MR
22-3-43

us
General-Secretary to Government.

Law Department

To

The Compiler, Mysore Gazette, for publication in Part-IV
of the Gazette, Extraordinary dated 22nd March 1943 in English and Kannada and for supply
of spare copies in English and Kannada, as per standing
orders.

(2) Copy to the Translation Section

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS
THE MAHARAJA OF MYSORE.

Order No. 430 Legis. 19-42-2 Dated, Bangalore, 22nd March 1948

Ordered that the accompanying Mysore City Municipalities
(Amendment) (Emergency Continuance) Act, 1948 which received the
assent of His Highness the Maharaja, on the 17th day of March
1948, be published as Act No. XVI of 1948, in the Mysore Gazette,
for general information.

Secretary to Government,
Law Department.

To

The Compiler, Mysore Gazette, for publication in
the Gazette Extraordinary dated 22nd March 1948 in English
and Kannada and for supply of spare copies in English and
Kannada, as per standing orders.

ACT XVI OF 1943.

The Mysore City Municipalities (Amendment) (Emergency Continuance) Act, 1943.

(Received the assent of His Highness the Maharaja on the 17th day of March 1943)

Whereas the Mysore City Municipalities (Amendment) (Emergency) Act, 1942 (Act No. XXXVIII of 1942) was promulgated on the 22nd day of September 1942, and will expire six months thereafter;

And whereas the Government of His Highness the Maharaja is satisfied that circumstances exist which render it necessary to take immediate action to extend the said Act for a further period of six months.

Now therefore in exercise of the powers conferred by clause (a) of sub-section (2) of Section 81 of the Government of Mysore Act, 1940 (Act No. XVIII of 1940);

It is hereby enacted as follows:-

1. This Act may be called the Mysore City Municipalities (Amendment) (Emergency Continuance) Act, 1943.

2. The Mysore City Municipalities (Amendment) Emergency Act, 1942 (Act No. XXXVIII of 1942), is hereby extended for a further period of six months.

Sd/ N. Madhava Rao

Regd. No. M.--1175.



The Mysore Gazette

(EXTRAORDINARY)

PUBLISHED BY AUTHORITY

BANGALORE, MONDAY, MARCH 22, 1943.

NOTIFICATION.

*er No. Rl. 930—Legis. 19-42-2, dated Bangalore
the 22nd March 1943.*

Ordered that the accompanying Mysore City Municipalities (Amendment) (Emergency Continuance) Act, 1943, which received the assent of His Highness the Maharaja, on the 17th day of March 1943, be published as Act No. XVI of 1943, in the *Mysore Gazette* for general information.

U. NARAYANASWAMY NAIDU,
*Secretary to Government,
Law Department.*

ACT No. XVI OF 1943.

The Mysore City Municipalities (Amendment) (Emergency Continuance) Act, 1943.

*(Received the assent of His Highness the Maharaja
on the 17th day of March 1943.)*

Whereas the Mysore City Municipalities (Amendment) (Emergency) Act, 1942 (Act No. XXXVIII of 1942) was promulgated on the 22nd day of September 1942, and will expire six months thereafter;

And Whereas the Government of His Highness the Maharaja is satisfied that circumstances exist which render it necessary to take immediate action to extend the said Act for a further period of six months;

Now therefore in exercise of the powers conferred by clause (a) of sub-section (2) of Section 31 of the Government of Mysore Act, 1940 (Act No. XVIII of 1940);

It is hereby enacted as follows :-

1. This Act may be called the Mysore City Municipalities (Amendment) (Emergency Continuance) Act, 1943.

2. The Mysore City Municipalities (Amendment) Emergency Act, 1942 (Act No. XXXVIII of 1942), is hereby extended for a further period of six months.

N. MADHAVA RAU,
Dewan.

(Fourth Amendment)
THE MYSORE CITY MUNICIPALITIES (Amendment) BILL.

WHEREAS it is expedient further to amend the Mysore Municipalities Act, 1933;-

It is hereby enacted as follow:

1. (1) This Act may be called the Municipalities (Fourth Amendment) Act, 194 ;

(2) It shall come into force at once.

insertion of
new sub-
section in
section 13.
Act VII of 1933

2. In section 23 of the Mysore City Municipalities Act, 1933, (hereinafter referred to as the said Act), the following sub-section shall be added after sub-section (13), namely:-

"(13-A) In cases not otherwise provided for, if the President of a municipal council is, for any reason, unable to perform his duties or exercise his powers as President or is disabled or prevented from performing or exercising such duties and powers, the Government may, for the period during which he is unable or disabled or prevented, authorise the Vice-President, or in his absence or on his neglect or inability, the Municipal Commissioner, to perform all the duties and exercise all the powers of the President under this Act.

Amendment
of Section 27
Act VII of 1933

3. (1) In clause (7) of section 27 of the said Act, after the word "one-third" the words "or during such time as Government may by notification in the official gazette direct less than one-fifth"; and after the words "whichever is greater" the words "or during such time as Government may by notification in the official gazette direct ~~that~~ not less than four councillors" shall be substituted.

(2) In clause (13) of section 27 of the said Act, after the words "the majority of the councillors" the words ^{present}

"or during such time as the Government may by notification in the official gazette direct ~~with~~ with the consent of not less than four-fifths of the whole number of councillors ^{present}" shall be substituted.

4. The Mysore City Municipalities (Amendment) (Emergency) Act, 1942, continued by Mysore City Municipalities (Amendment) (Emergency Continuance) Act, 1943, is hereby repealed. But

any rules made anything done and any action taken in exercise of any power conferred by or under the said Emergency Act or by the Mysore City Municipalities (Amendment) (Emergency Continuance) Act 1943 shall be deemed to have been made, done or taken in exercise of powers conferred by or under this Act as if this Act ~~had~~ had commenced on the 1st day of September 1942

The Mysore City Municipalities
(amendment) Bill.

Statement of Principles.

Sub-section (13) of Section 23 of the Mysore City Municipalities Act, 1923, which deals with the filling up of vacancies in the office of President does not exhaustively provide for all cases where a Municipal Council is deprived of the services of that officer. Power is therefore necessary for the Government to authorise, in certain circumstances, the Vice President or in his absence or ^{on his} neglect or inability, the Municipal Commissioner, to perform the duties and exercise the powers of the President. The proposed Sub-section (13 A) provides for this

In special circumstances when the business of a municipal council may have to be ~~proceeded~~ proceeded with even if the quorum now required is not present, power must be available to the Government to specify a smaller quorum. It is also necessary that Government should have the power to ^{change} raise ^{the} the quorum necessary to pass a motion for adjourning a meeting of a municipal council. Clause 3 of the proposed Bill is intended to give such power to the Government. The provisions will however have effect only during such time as the Govt. may direct by issue of a Notification in this behalf.

As an occasion ^{recently arose} ~~has now arisen~~ in the Bangalore City Municipality for the exercise of the ~~powers~~ powers by the Government, an Emergency Act was passed in 1942. This has been continued for a further period of six months

as the special circumstances continued beyond the
first six months

The present Bill is intended to replace these
Emergency Acts also.

(Fourth Amendment) Bill

THE MYSORE CITY MUNICIPALITIES (Amendment) Bill.

WHEREAS it is expedient further to amend the Mysore City Municipalities Act, 1933:-

It is hereby enacted as follows:-

1. (1) This Act may be called the Mysore City Municipalities ^{with Amendment} ~~(Amendment)~~ Act, 194

and
commencement

(2) It shall come into force at once.

Insertion of a
new sub-section
in Section 23, *
Act VII of 1933

2. In section 23 of the Mysore City Municipalities Act, 1933, (hereinafter referred to as the said Act), the following sub-section shall be added after sub-section (13), namely:

"(13-A). In cases not otherwise provided for, if the President of a Municipal council is, for any reason, unable to perform his duties or exercise his powers as President or is disabled or prevented from performing or exercising such duties or powers, the Government may, for the period during which he is unable or disabled or prevented, authorise the Vice-President, or in his absence or on his neglect or inability, the Municipal Commissioner, to perform all the duties and exercise all the powers of the President under this Act."

Amendment
of Section 27,
Act VII of 1933

3. (1) In clause (7) of section 27 of the said Act, after the word "one-third" the words "or during such time as Government may by notification in the official gazette direct less than one-fifth"; and after the words "whichever is greater" the words "or during such time as Government may by notification in the official gazette direct not less than four councillors" shall be substituted.

(2) In clause (13) of section 27 of the said Act, after ^{the} ~~his~~ words "the majority of the councillors present" the wor

"or during such time as the Government may by notification in the official gazette direct with the consent of not less than four-fifths of the whole number of councillors present" shall be substituted.

4. The Mysore City Municipalities (Amendment)(Emergency) Act, 1942, continued by Mysore City Municipalities (Amendment) (Emergency Continuance) Act, 1943, is hereby repealed. But any rules made, anything done and any action taken in exercise of any power conferred by or under the said Emergency Act ^{or by the} ~~by~~ said Emergency Act continued by ~~the Mysore City Municipalities (Amendment)~~ (Emergency Continuance) Act 1943, shall be deemed to have been made done or taken in exercise of powers conferred by or under this Act as if this Act had commenced on the 22nd day of September 1942

2. ಮೈಸೂರು ಸಂಸ್ಥಾನದ ಸಿಟಿ ಮುನಿಸಿಪಾಲಿಟಿಗಳ (ನಾಲ್ಕನೆಯ ತಿದ್ದುಪಡಿ)
ಮಸೂದಾ ಕಾನೂನಿನ ನಿಯಮಗಳ ವಿವರ

1933ನೆಯ ಇಸವಿಯ ಮೈಸೂರು ಸಂಸ್ಥಾನದ ಸಿಟಿ ಮುನಿಸಿಪಾಲಿಟಿಗಳ ಆಕ್ಟಿನ 23ನೆಯ ಪ್ರಕರಣದ (13)ನೆಯ ಒಳ ಪ್ರಕರಣದಲ್ಲಿ, ಒಂದು ಮುನಿಸಿಪಲ್ ಸಭೆಯ ಪ್ರೆಸಿಡೆಂಟ್ ಹುದ್ದೆಯು ಖಾಲಿಬಿದ್ದಾಗ ಅದನ್ನು ಭರ್ತಿಮಾಡತಕ್ಕ ವಿಚಾರವು ಪ್ರಸ್ತಾವಿಸಲ್ಪಟ್ಟಿದೆಯಷ್ಟೆ ಆ ಒಳಪ್ರಕರಣದಲ್ಲಿ, ಒಂದು ಮುನಿಸಿಪಲ್ ಸಭೆಗೆ ಅದರ ಪ್ರೆಸಿಡೆಂಟ್ ಆ ಹುದ್ದೆಯಲ್ಲಿದ್ದು ತಮ್ಮ ಕರ್ತವ್ಯಗಳನ್ನು ನೆರವೇರಿಸುವುದು ಸಾಧ್ಯವಿಲ್ಲದೆ ಹೋಗಬಹುದಾದ ಎಲ್ಲ ಸಂದರ್ಭಗಳಿಗೂ ಬದಲಾವಂತೆ ನಿಯಮವೇರ್ಪಟ್ಟಿಲ್ಲ. ಆದುದರಿಂದ ಕೆಲವು ಸನ್ನಿವೇಶಗಳಲ್ಲಿ ಪ್ರೆಸಿಡೆಂಟ್ ಕರ್ತವ್ಯಗಳನ್ನು ನೆರವೇರಿಸುವ ಮತ್ತು ಅವರ ಅಧಿಕಾರಗಳನ್ನು ಚಲಾಯಿಸುವ ಅಧಿಕಾರವನ್ನು ಸಭೆಯ ವೈಸ್-ಪ್ರೆಸಿಡೆಂಟ್‌ರಿಗಾಗಲಿ, ಅಥವಾ ಅವರು ಗೈರುಹಾಜರಾದಾಗ ಅಥವಾ ತಮ್ಮ ಕೆಲಸದಲ್ಲಿ ಅಲಕ್ಷ್ಯ ತೋರಿಸಿದಾಗ ಅಥವಾ ಅವರಿಗೆ ಸಾಧ್ಯವಿಲ್ಲದೆ ಹೋದಾಗ ಮುನಿಸಿಪಲ್ ಕಮಿಷನರಿಗಾಗಲಿ ವಹಿಸಿಕೊಡಲು ಸರ್ಕಾರದವರಿಗೆ ಅಧಿಕಾರವಿರಬೇಕಾದುದು ಅವಶ್ಯಕವಾಗಿದೆ. ಈಗ ಈ ಮಸೂದಾ ಕಾನೂನಿನಲ್ಲಿ ಸೇರಿಸಿರುವ (13-A) ಒಳಪ್ರಕರಣದಲ್ಲಿ ಇದಕ್ಕೆ ಅವಕಾಶವನ್ನು ಕಲ್ಪಿಸಲಾಗಿದೆ.

ಒಂದು ಮುನಿಸಿಪಲ್ ಸಭೆಯ ಸದಸ್ಯರು ಸಭೆ ಸೇರಿದಾಗ ಆ ಸಭೆಯ ಕಾರ್ಯಕಲಾಪಗಳು ಜರುಗಬೇಕಾದರೆ ಆ ಸಭೆಯಲ್ಲಿ ನಿರ್ದಿಷ್ಟವಾದ ಒಂದು ಕನಿಷ್ಠ ಪರಿಮಿತಿಯ ಸಂಖ್ಯೆಯಷ್ಟು ಸದಸ್ಯರಾದರೂ ("ಕೋರಂ") ಹಾಜರಿರಬೇಕೆಂದು ವಿಧಾಯಕವಾಗಿದೆಯಷ್ಟೆ. ಕೆಲವು ವಿಶೇಷ ಸಂದರ್ಭಗಳಲ್ಲಿ, ಹಾಗೆ ವಿಧಾಯಕವಾಗಿರತಕ್ಕ ಕ್ಲುಪ್ತ ಸಂಖ್ಯೆಯ ಸದಸ್ಯರು ಹಾಜರಿಲ್ಲದಿದ್ದಾಗ (ಎಂದರೆ "ಕೋರಂ" ಇಲ್ಲದಿದ್ದಾಗ) ಸಭೆಯ ಕಾರ್ಯಕಲಾಪಗಳನ್ನು ಜರುಗಿಸಬೇಕಾದ ಪ್ರಸಂಗ ಒದಗಬಹುದು. ಅಂಥ ಸಂದರ್ಭಗಳಲ್ಲಿ ಸಭೆಯಲ್ಲಿ ಹಾಜರಿರಲೇಬೇಕೆಂದು ಈಗ ವಿಧಾಯಕವಾಗಿರತಕ್ಕ ಸದಸ್ಯರ ಕ್ಲುಪ್ತ ಸಂಖ್ಯೆಯನ್ನು (ಎಂದರೆ "ಕೋರಂ" ಸಂಖ್ಯೆಯನ್ನು) ತಗ್ಗಿಸಲು ಸರ್ಕಾರದವರಿಗೆ ಅಧಿಕಾರವಿರಬೇಕಾದುದು ಅವಶ್ಯಕ. ಅಲ್ಲದೆ ಒಂದು ಮುನಿಸಿಪಲ್ ಸಭೆಯ ಅಧಿವೇಶನವನ್ನು ಮುಂದಕ್ಕೆ ಹಾಕುವ ಸೂಚನೆಯು ಸಭೆಯಲ್ಲಿ ಅನುಮೋದಿಸಲ್ಪಡಬೇಕಾದರೆ ಅವಶ್ಯಕವಾಗಿರತಕ್ಕ ಸದಸ್ಯ ಸಂಖ್ಯೆಯು 'ಕೋರಂ' ಪರಿಮಿತಿಯನ್ನು ಬದಲಾಯಿಸುವ ಅಧಿಕಾರವೂ ಸಹ ಸರ್ಕಾರದವರಿಗಿರಬೇಕಾಗುತ್ತದೆ. ಈಗ ರಚಿತವಾಗಿರತಕ್ಕ ಮಸೂದಾಕಾನೂನಿನ 3ನೆಯ ಕ್ಲಾಜಿನಲ್ಲಿ ಸರ್ಕಾರದವರಿಗೆ ಅಂಥ ಅಧಿಕಾರವನ್ನು ಕೊಡುವುದಕ್ಕೆ ತಕ್ಕ ನಿಯಮವೇರ್ಪಟ್ಟಿದೆ. ಆದರೆ ಒಂದು ವಿಚಾರ. ಈಗ ಏರ್ಪಡಿಸಿರತಕ್ಕ ಈ ನಿಯಮಗಳು ಎಷ್ಟುಕಾಲ ಆಚರಣೆಯಲ್ಲಿರತಕ್ಕದೆಂಬುದಾಗಿ ಸರ್ಕಾರದವರು ಈ ಸಂಬಂಧವಾಗಿ ಒಂದು ಇನ್ಸಿಹಾರ್ನಾಮೆಯನ್ನು ಸಾರ್ವಜನಿಕ ಅದರಲ್ಲಿ ಅಪ್ಪಣೆಮಾಡಿರುತ್ತಾರೋ ಅಷ್ಟುಕಾಲ ಮಾತ್ರವೇ ಅವು ಆಚರಣೆಯಲ್ಲಿರುತ್ತವೆ.

ಮೇಲೆ ಹೇಳಿದ ಈ ಅಧಿಕಾರಗಳನ್ನು ಸರ್ಕಾರದವರು ಚಲಾಯಿಸಬೇಕಾದ ಒಂದು ಸಂದರ್ಭವು ಬೆಂಗಳೂರು ಸಿಟಿ ಮುನಿಸಿಪಾಲಿಟಿಯಲ್ಲಿ ಈಚೆಗೆ ಒದಗಿತು. ತತ್ಪ್ರಯುಕ್ತ 1942ನೆಯ ಇಸವಿಯಲ್ಲಿ ಇದಕ್ಕಾಗಿ ಒಂದು ಜರೂರಾತಿ ಆಕ್ಟನ್ನು ಏರ್ಪಡಿಸಿ ಜಾರಿಗೆ ತರಲಾಯಿತು. ಆ ಜರೂರಾತಿ ಆಕ್ಟು ಜಾರಿಯಲ್ಲಿರಲು ಅರೇ ತಿಂಗಳು ಮಾತ್ರ ಅವಕಾಶವಷ್ಟೆ. ಆದರೆ ಆ ಆರು ತಿಂಗಳುಗಳು ಕಳೆದಮೇಲೂ, ಯಾವ ವಿಶೇಷಕಾರಣಗಳಿಗಾಗಿ ಆ ಆಕ್ಟು ಏರ್ಪಡಿಸಲ್ಪಟ್ಟಿತೋ ಆ ಕಾರಣಗಳು ಇನ್ನೂ ಇದ್ದುದರಿಂದ, ಮತ್ತೆ ಆರುತಿಂಗಳುಗಳ ಅವಧಿಯವರೆಗೆ ಆ ಆಕ್ಟನ್ನು ಜಾರಿಯಲ್ಲಿಟ್ಟಿರಬೇಕಾಗಿ ಬಂದಿತು. ಆದುದರಿಂದ ಆ ಜರೂರಾತಿ ಆಕ್ಟನ್ನು ಮುಂದುವರಿಸುವ ಮತ್ತೊಂದು ಜರೂರಾತಿ ಆಕ್ಟು ಮಂಜೂರಾಗಿ ಜಾರಿಗೆ ಬಂದಿತು. ಈ ಜರೂರಾತಿ ಆಕ್ಟುಗಳಿಗೆ ಬದಲಾಗಿ ಖಾಯಂ ಆಗಿಯೇ ಒಂದು ಕಾನೂನನ್ನು ಏರ್ಪಡಿಸುವ ಉದ್ದೇಶದಿಂದ ಈ ಮಸೂದಾ ಕಾನೂನನ್ನು ರಚಿಸಲಾಗಿದೆ.

ಮೈಸೂರು ಸಂಸ್ಥಾನದ ಸಿಟಿ ಮುನಿಸಿಪಾಲಿಟಿಗಳ (ನಾಲ್ಕನೆಯ ತಿದ್ದುಪಡಿ)
ಮಸೂದಾ ಕಾನೂನು.

1933ನೆಯ ಇಸವಿಯ ಮೈಸೂರು ಸಂಸ್ಥಾನದ ಸಿಟಿ ಮುನಿಸಿಪಾಲಿಟಿಗಳ ಆಕ್ಟನ್ನು ಮತ್ತಷ್ಟು ತಿದ್ದುಪಾಟು ಮಾಡುವುದು ಯುಕ್ತವಾಗಿರುವುದರಿಂದ,
ಈ ಕೆಳಗೆ ಕಂಡಂತೆ ಈ ಮೂಲಕ ಕಾನೂನನ್ನು ವಿಧಾಯಕ ಮಾಡಲಾಗಿದೆ:

1. (1) ಈ ಆಕ್ಟನ್ನು 194 ನೆಯ ಇಸವಿಯ ಮೈಸೂರು ಸಂಸ್ಥಾನದ ಸಿಟಿ ಮುನಿಸಿಪಾಲಿಟಿಗಳ (ನಾಲ್ಕನೆಯ ತಿದ್ದುಪಡಿ) ಆಕ್ಟು ಎಂದು ಕರೆಯಬಹುದು.
ಚಕ್ರವರ್ತಿ ಮತ್ತು ಪ್ರಾರಂಭ.
- (2) ಅದು ಕೂಡಲೆ ಜಾರಿಗೆ ಬರತಕ್ಕದು.

2. 1933ನೆಯ ಇಸವಿಯ ಮೈಸೂರು ಸಂಸ್ಥಾನದ ಸಿಟಿ ಮುನಿಸಿಪಾಲಿಟಿಗಳ ಆಕ್ಟಿನ (ಇನ್ನು ಮುಂದೆ ಇದನ್ನು ಆಕ್ಟು ಎಂಬುದಾಗಿ ಪ್ರಸ್ತಾಪಿಸಲಾಗುವುದು) 23ನೆಯ ಪ್ರಕರಣದಲ್ಲಿ (13)ನೆಯ ಒಳ ಪ್ರಕರಣದ ತರುವಾಯ ಈ ಕೆಳಗೆ ಕಂಡ ಒಳಪ್ರಕರಣವನ್ನು ಸೇರಿಸತಕ್ಕದ್ದು ; ಅದು ಯಾವುದೆಂದರೆ—

1933ನೆಯ ಇಸವಿಯ VIIನೆಯ ನಂಬರಿನ ಆಕ್ಟಿನ 23ನೆಯ ಪ್ರಕರಣಕ್ಕೆ ಒಂದು ಹೊಸ ಒಳಪ್ರಕರಣವನ್ನು ಸೇರಿಸುವುದು.

“ [13—A] ಬೇರೆ ರೀತಿಯಲ್ಲಿ ನಿಯಮಗಳು ಏರ್ಪಟ್ಟಿಲ್ಲದಂಥ ಸಂದರ್ಭಗಳಲ್ಲಿ, ಒಂದು ಮುನಿಸಿಪಲ್ ಸಭೆಯ ಪ್ರೆಸಿಡೆಂಟರು, ಯಾವ ಕಾರಣದಿಂದಲಾಗಲಿ, ಪ್ರೆಸಿಡೆಂಟರಾಗಿ ತಮ್ಮ ಕರ್ತವ್ಯಗಳನ್ನು ನೆರವೇರಿಸಲು ಅಥವಾ ಪ್ರೆಸಿಡೆಂಟರಾಗಿ ತಮ್ಮ ಅಧಿಕಾರಗಳನ್ನು ಚಲಾಯಿಸಲು ಅವರಿಗೆ ಸಾಧ್ಯವಿಲ್ಲದಂತಾದ ಪಕ್ಷಕ್ಕೆ, ಅಥವಾ ಅವರು ಅಂಥ ಕರ್ತವ್ಯಗಳನ್ನು ನೆರವೇರಿಸುವುದಕ್ಕೆ ಅಥವಾ ಅಧಿಕಾರಗಳನ್ನು ಚಲಾಯಿಸುವುದಕ್ಕೆ ಅವರಿಗೆ ಅನರ್ಹತೆಯುಂಟಾದ ಅಥವಾ ಅಡ್ಡಿಯುಂಟಾದ ಪಕ್ಷಕ್ಕೆ, ಸರ್ಕಾರದವರು, ಅಂಥ ಪ್ರೆಸಿಡೆಂಟರಿಗೆ ಹಾಗೆ ಸಾಧ್ಯವಿಲ್ಲದಂತಾಗಿರುವ, ಅಥವಾ ಅನರ್ಹತೆಯುಂಟಾಗಿರುವ ಅಥವಾ ಅಡ್ಡಿಯುಂಟಾಗಿರುವ ಅವಧಿಯಲ್ಲಿ ವೈಸ್-ಪ್ರೆಸಿಡೆಂಟರಿಗಾಗಲಿ, ಅಥವಾ ಅವರು ಗೈರುಹಾಜರಾಗಿದ್ದರೆ ಅಥವಾ ಅಲಕ್ಷ್ಯ ಮಾಡಿದರೆ, ಅಥವಾ ಅವರಿಗೆ ಸಾಧ್ಯವಿಲ್ಲದಂತಾಗಿದ್ದರೆ, ಮುನಿಸಿಪಲ್ ಕಮಿಷನರಿಗಾಗಲಿ ಈ ಆಕ್ಟಿನ ಮೇರೆಗೆ ಪ್ರೆಸಿಡೆಂಟರು ನೆರವೇರಿಸದೇಕಾಗಿರತಕ್ಕ ಎಲ್ಲ ಕರ್ತವ್ಯಗಳನ್ನು ನೆರವೇರಿಸುವುದಕ್ಕೂ ಮತ್ತು ಈ ಆಕ್ಟಿನ ಮೇರೆಗೆ ಪ್ರೆಸಿಡೆಂಟರವರಿಗಿರತಕ್ಕ ಎಲ್ಲ ಅಧಿಕಾರಗಳನ್ನು ಚಲಾಯಿಸುವುದಕ್ಕೂ ಅಧಿಕಾರ ಕೊಡಬಹುದು.”

3. (1) ಆಕ್ಟಿನ 27ನೆಯ ಪ್ರಕರಣದ (7)ನೆಯ ಕ್ಲಾಜಿನಲ್ಲಿ “ಮೂರರಲ್ಲಿ ಒಂದು ಭಾಗಕ್ಕೆ” ಎಂಬ ಪದಗಳ ತರುವಾಯ “ಅಥವಾ ಸರ್ಕಾರದವರು ಸರ್ಕಾರಿ ಗೆಜೆಟ್‌ನಲ್ಲಿ ಪ್ರಕಟಿಸಿರುವ ಇನ್‌ಸ್ಟ್ರಕ್ಷನ್‌ಮೇಯ ಮೂಲಕ ಅಪ್ಪಣೆ ಮಾಡಬಹುದಾದಷ್ಟು ಕಾಲ, ಐದರಲ್ಲಿ ಒಂದು ಭಾಗಕ್ಕೆ” ಎಂಬ ಪದಗಳನ್ನು ಸೇರಿಸಿಕೊಳ್ಳತಕ್ಕದ್ದು ; ಮತ್ತು ಆ ಕ್ಲಾಜಿನ ಪರತ್ತಿನ ನಿಯಮದಲ್ಲಿ “ಯಾವುದು ಹೆಚ್ಚು ಸಂಖ್ಯೆಯೋ ಅಷ್ಟುಮಂದಿ” ಎಂಬ ಏರ್ಪಾಡು ತರುವಾಯ “ಅಥವಾ ಸರ್ಕಾರದವರು ಸರ್ಕಾರಿ ಗೆಜೆಟ್‌ನಲ್ಲಿ ಪ್ರಕಟಪಡಿಸುವ ಇನ್‌ಸ್ಟ್ರಕ್ಷನ್‌ಮೇಯಲ್ಲಿ ಅಪ್ಪಣೆ ಮಾಡಬಹುದಾದಷ್ಟು ಕಾಲ, ನಾಲ್ಕಕ್ಕೆ ಕಡಮೆ ಯಿಲ್ಲದಷ್ಟು ಮಂದಿ” ಎಂಬ ಪದಗಳನ್ನು ಸೇರಿಸಿಕೊಳ್ಳತಕ್ಕದ್ದು.

(2) ಆಕ್ಟಿನ 27ನೆಯ ಪ್ರಕರಣದ (13)ನೆಯ ಕ್ಲಾಜಿನಲ್ಲಿ, “ಆಗ್ಗೆ ಬಂದಿರುವ ಸದಸ್ಯರಲ್ಲಿ ಬಹುಭಾಗದವರ ಅನುಮತಿಯೊಡನೆ” ಎಂಬ ಪದಗಳ ತರುವಾಯ “ಅಥವಾ ಸರ್ಕಾರದವರು ಸರ್ಕಾರಿ ಗೆಜೆಟ್‌ನಲ್ಲಿ ಪ್ರಕಟಿಸತಕ್ಕ ಇನ್‌ಸ್ಟ್ರಕ್ಷನ್‌ಮೇಯಲ್ಲಿ ಅಪ್ಪಣೆ ಮಾಡಬಹುದಾದಷ್ಟು ಕಾಲ, ಹಾಜರಿರುವ ಸದಸ್ಯರ ಒಟ್ಟು ಸಂಖ್ಯೆಯಲ್ಲಿ ಐದರಲ್ಲಿ ನಾಲ್ಕು ಭಾಗಕ್ಕೆ ಕಡಮೆ ಯಿಲ್ಲದಷ್ಟು ಸಂಖ್ಯೆಯ ಸದಸ್ಯರುಗಳ ಅನುಮತಿಯೊಡನೆ” ಎಂಬ ಪದಗಳನ್ನು ಸೇರಿಸಿಕೊಳ್ಳತಕ್ಕದ್ದು.

4. 1943ನೆಯ ಇಸವಿಯ ಮೈಸೂರು ಸಂಸ್ಥಾನದ ಸಿಟಿ ಮುನಿಸಿಪಾಲಿಟಿಗಳ (ತಿದ್ದುಪಡಿ) (ಜರೂರಾತಿ ಮುಂದುವರಿದ) ಆಕ್ಟಿನಿಂದ ಮುಂದುವರಿಸಲ್ಪಟ್ಟ 1942ನೆಯ ಇಸವಿಯ ಮೈಸೂರು ಸಂಸ್ಥಾನದ ಸಿಟಿ ಮುನಿಸಿಪಾಲಿಟಿಗಳ (ತಿದ್ದುಪಡಿ) (ಜರೂರಾತಿ) ಆಕ್ಟು ಈ ಮೂಲಕ ರದ್ದಾಗಿರುತ್ತದೆ. ಆದರೆ, ಮೇಲೆ ಕಂಡ ಜರೂರಾತಿ ಆಕ್ಟಿನಿಂದ ಅಥವಾ ಜರೂರಾತಿ ಆಕ್ಟಿನ ಮೇರೆಗೆ ಅಥವಾ 1943ನೆಯ ಇಸವಿಯ ಮೈಸೂರು ಸಂಸ್ಥಾನದ ಸಿಟಿ ಮುನಿಸಿಪಾಲಿಟಿಗಳ (ತಿದ್ದುಪಡಿ) (ಜರೂರಾತಿ ಮುಂದುವರಿದ) ಆಕ್ಟಿನಿಂದ ಮುಂದುವರಿಸಲ್ಪಟ್ಟ ಸದರಿ ಜರೂರಾತಿ ಆಕ್ಟಿನಿಂದ ಅಥವಾ ಆಕ್ಟಿನ ಮೇರೆಗೆ ಕೊಡಲ್ಪಟ್ಟ ಯಾವುದಾದರೂ ಅಧಿಕಾರವನ್ನು ಚಲಾಯಿಸಿ ರಚಿಸಲ್ಪಟ್ಟ ಯಾವ ನಿಬಂಧನೆಗಳಾಗಲಿ, ಘಾಡಲ್ಪಟ್ಟ ಯಾವುದೇ ಆಗಲಿ ಅಥವಾ ಕೈಕೊಂಡ ಯಾವ ಕಾರ್ಯ ಕ್ರಮವಾಗಲಿ, ಈ ಆಕ್ಟು 1942ನೆಯ ಇಸವಿ ಸೆಪ್ಟೆಂಬರ್ 22ನೆಯ ತಾರೀಖಿನ ದಿನವೇ ಜಾರಿಗೆ ಬಂದಿದ್ದರೆ ಹೇಗೋ ಹಾಗೆ, ಈ ಆಕ್ಟಿನಿಂದ ಅಥವಾ ಈ ಆಕ್ಟಿನ ಮೇರೆಗೆ ಕೊಡಲ್ಪಟ್ಟ ಅಧಿಕಾರಗಳನ್ನು ಚಲಾಯಿಸಿ ರಚಿಸಲ ಟಂತೆ ಅಥವಾ ಮಾಡಲ ಟಂತೆ ಅಥವಾ ಕೈಕೊಂಡಂತೆ ಭಾವಿಸಲ್ಪಡತಕ್ಕದ್ದು.

THE MYSORE CITY MUNICIPALITIES (AMENDMENT)
EMERGENCY ACT, 1942.

Not Affirmed

WHEREAS the Government of His Highness the Maharaja is satisfied that circumstances exist which render it necessary to take immediate action further to amend the Mysore City Municipalities Act, 1933, for the purpose hereinafter following;

NOW, THEREFORE, in exercise of the powers conferred by sub-section (1) of section 31 of the Government of Mysore Act, 1940 (XVIII of 1940);

It is hereby enacted as follows:-

1. (1) This Act may be called the Mysore City Municipalities (Amendment) Emergency Act, 1942.

(2) It shall come into force at once.

2. In section 23 of the Mysore City Municipalities Act, 1933 (hereinafter referred to as the said Act), the following sub-section shall be added after sub-section (13), namely:-

"(13 A). In cases not otherwise provided for, if the President of a municipal council is, for any reason, unable to perform his duties or exercise his powers as President or is disabled or prevented from performing or exercising such duties and powers, the Government may appoint any person to perform all the duties and exercise all the powers of the President under this Act for such period as may be considered necessary by the Government, during the term of his office."

3. (a) In clause 7 of section 27 of the said Act for the word "one-third" the word "one-fifth" and for the words "provided that not less one-fifth of the whole number of councillors or five councillors, whichever is greater, be present", the words "provided that not less than four councillors be present" shall be substituted.

(b) In clause 13 of section 27 of the said Act, for the words "with the consent of majority of the councillors present", the words "with the consent of not less than four-fifth of the whole number of councillors present" shall be substituted.

2. THE MYSORE CITY MUNICIPALITIES (FOURTH AMENDMENT) BILL.

Statement of Principles.

Sub-section (13) of Section 23 of the Mysore City Municipalities Act, 1933, which deals with the filling up of vacancies in the Office of President does not exhaustively provide for all cases where a municipal council is deprived of the services of that officer. Power is therefore necessary for the Government to authorise, in certain circumstances, the Vice-President or in his absence, or on his neglect or inability, the Municipal Commissioner, to perform the duties and exercise the powers of the President. The proposed sub-section (13-A) provides for this.

In special circumstances when the business of a municipal council may have to be proceeded with even if the quorum now required is not present, power must be available for the Government to specify a smaller quorum. It is also necessary that Government should have the power to change the quorum necessary to pass a motion for adjourning a meeting of a municipal council. Clause 3 of the proposed Bill is intended to give such power to the Government. The provisions will however have effect only during such time as the Government may direct by issue of a notification in this behalf.

As an occasion recently arose in the Bangalore City Municipality for the exercise of these powers by the Government, an Emergency Act was passed in 1942. This has been continued for a further period of six months as the special circumstances continued beyond the first six months. The present Bill is intended to replace these Emergency Acts also.

THE MYSORE CITY MUNICIPALITIES (FOURTH AMENDMENT) BILL.

WHEREAS it is expedient further to amend the Mysore City Municipalities Act, 1933 :—

It is hereby enacted as follows :—

1. (1) This Act may be called the Mysore City Municipalities (Fourth Amendment) Act, 194

Short title and commencement.

(2) It shall come into force at once.

2. In Section 23 of the Mysore City Municipalities Act, 1933, (hereinafter referred to as the said Act), the following sub-section shall be added after sub-section (13), namely :—

Insertion of a new sub-section in Section 23, Act VII of 1933.

“(13-A). In cases not otherwise provided for, if the President of a Municipal Council is, for any reason, unable to perform his duties or exercise his powers as President or is disabled or prevented from performing or exercising such duties or powers, the Government may, for the period during which he is unable or disabled or prevented, authorise the Vice-President, or, in his absence or on his neglect

or inability, the Municipal Commissioner, to perform all the duties and exercise all the powers of the President under this Act."

Amendment
of Section 27,
Act VII of
1933.

3. (1) In clause (7) of Section 27 of the said Act, after the word "one-third" the words "or during such time as Government may by notification in the official Gazette direct less than one-fifth"; and after the words "whichever is greater" the words "or during such time as Government may by notification in the official gazette direct not less than four councillors" shall be substituted.

(2) In clause (13) of Section 27 of the said Act, after the words "the majority of the councillors present" the words "or during such time as the Government may by notification in official Gazette direct with the consent of not less than four-fifths of the whole number of councillors present" shall be substituted.

Repeal and
savings.

4. The Mysore City Municipalities (Amendment) (Emergency) Act, 1942, continued by Mysore City Municipalities (Amendment) (Emergency Continuance) Act, 1943, is hereby repealed. But any rules made, anything done and any action taken in exercise of any power conferred by or under the said Emergency Act or by the said Emergency Act as continued by the Mysore City Municipalities (Amendment) (Emergency Continuance) Act, 1943, shall be deemed to have been made, done or taken in exercise of powers conferred by or under this Act as if this Act had commenced on the 22nd day of September 1942.

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS
THE MAHARAJA OF MYSORE

Order No. R.L. 347. Legis 19-42-1

Dated, Bangalore, 25th Sept 1942

Ordered that the accompanying Mysore city
Municipalities (Amendment) Emergency
Act, 1942

which received the assent of His Highness the Maharaja,
on the 22nd day of September
1942, be published as Act No. XXXVIII
of 1942, in the *Mysore Gazette*, for general information.

PRR

25-9-42

[Signature]
General Secretary to Government.

Law Department

To

(1) The Compiler, *Mysore Gazette*, for publication in Part IV
Extraordinary dated 26-9-42
of the Gazette, in English and Kannada and for supply
of spare copies in English and Kannada, as per standing
orders.

ACT No. XXXVIII of 1942.

THE MYSORE CITY MUNICIPALITIES (AMENDMENT)
EMERGENCY ACT, 1942.

(Received the assent of His Highness the
Maharaja on the 22nd day of September 1942)

WHEREAS the Government of His Highness the
Maharaja is satisfied that circumstances exist which
render it necessary to take immediate action further
to amend the Mysore City Municipalities Act, 1933,
for the purpose hereinafter following;

NOW, THEREFORE, in exercise of the powers
conferred by sub-section (1) of section 31 of the
Government of Mysore Act, 1940 (XVIII of 1940);

It is hereby enacted as follows:-

1.(1) This Act may be called the Mysore City
Municipalities (Amendment) Emergency Act, 1942.

(2) It shall come into force at once.

2. In section 23 of the Mysore City Municipalities
Act, 1933 (hereinafter referred to as the said
Act), the following sub-section shall be added after
sub-section (13), namely:-

"(13 A) In cases not otherwise provided
for, if the President of a municipal council
is, for any reason, unable to perform his
duties or exercise his powers as President or
is disabled or prevented from performing or
exercising such duties and powers, the Govern-
ment may, for the period during which he is
unable or disabled or prevented, authorise the
Vice-President or, in his absence or on his
neglect or inability, the Municipal Commissioner

No. Rl. 1113, dated Bangalore, the 7th June 1943.

Under the provisions of rule 36 of the Mysore Legislative Rules, 1941, the Dewan has been pleased to order the publication in the Gazette of the City Municipalities (Fourth Amendment) Bill together with the Statement of Objects and Reasons.

By Order,

C. NARAYANASWAMY NAIDU,

Secretary to Government,
Law Department.

1 by the Legislative Council on 1st July 1943

THE MYSORE CITY MUNICIPALITIES (FOURTH AMENDMENT) BILL.

WHEREAS it is expedient further to amend the Mysore City Municipalities Act, 1933 :—

It is hereby enacted as follows :—

1. (1) This Act may be called the Mysore City Municipalities (Fourth Amendment) Act, 1943
(2) It shall come into force at once.

2. In Section 23 of the Mysore City Municipalities Act, 1933, (hereinafter referred to as the said Act), the following sub-section shall be added after sub-section (13), namely :—

“(13-A). In cases not otherwise provided for, if the President of a Municipal Council is, for any reason, unable to perform his duties or exercise his powers as President or is disabled or prevented from performing or exercising such duties or powers, the Government may, for the period during which he is unable or disabled or prevented, authorise the Vice-President, or, in his absence or on his neglect or inability, the Municipal Commissioner, to perform all the duties and exercise all the powers of the President under this Act.”

Short title
and
commence-
ment.

Insertion of a
new sub-
section in
Section 23,
Act VII of
1933.

3. (1) In clause (7) of Section 27 of the said Act, after the word "one-third" the words "or during such time as Government may by notification in the official Gazette direct less than one-fifth"; and after the words "whichever is greater" the words "or during such time as Government may by notification in the official Gazette direct not less than four councillors" shall be inserted.

Amendment
of Section 2
Act VII of
1933.

(2) In clause (13) of Section 27 of the said Act, after the words "the majority of the councillors present" the words "or during such time as the Government may by notification in official Gazette direct with the consent of not less than four-fifths of the whole number of councillors present" shall be inserted.

4. The Mysore City Municipalities (Amendment) (Emergency) Act, 1942, continued by Mysore City Municipalities (Amendment) (Emergency Continuance) Act, 1943, is hereby repealed. But any rules made, anything done and any action taken in exercise of any power conferred by or under the said Emergency Act or by the said Emergency Act as continued by the Mysore City Municipalities (Amendment) (Emergency Continuance) Act, 1943, shall be deemed to have been made, done or taken in exercise of powers conferred by or under this Act as if this Act had commenced on the 22nd day of September 1942.

Repeal and
savings.

S. H. Chaudhary Khara
Statement of Objects and Reasons. *pride*
legida

Sub-section (13) of Section 23 of the Mysore City Municipalities Act, 1933, which deals with the filling up of vacancies in the Office of President does not exhaustively provide for all cases where a municipal council is deprived of the services of that officer. Power is therefore necessary for the Government to authorise, in certain circumstances, the Vice-President or in his absence, or on his neglect or inability, the Municipal Commissioner, to perform the duties and exercise the powers of the President. The proposed sub-section (13-A) provides for this.

In special circumstances when the business of a municipal council may have to be proceeded with even if the quorum now required is not present, power must be available for the Government to specify a smaller quorum. It is also necessary that Government should have the power to change the quorum necessary to pass a

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS
THE MAHARAJA OF MYSORE

Order No. 172 Legisll-43-

Dated, Bangalore, 5th Aug 1943

Ordered that the accompanying Mysore Municipalities
(Fourth Amendment) Act 1943

which received the assent of His Highness the Maharaja,
on the 27th day of July
1943, be published as Act No. ~~XXIX~~ XXXIV
of 1943, in the *Mysore Gazette*, for general information.

58.43

General Secretary to Government.

58.43 Law & Order

To

1 The Compiler, *Mysore Gazette*, for publication in Part IV
of the Gazette, in English and Kannada and for supply
of spare copies in English and Kannada, as per standing
orders.

2. Copy to the Translation Section.

No. RL. 1113, dated Bangalore, the 7th June 1943.

Under the provisions of rule 38 of the Mysore Legislative Rules, 1941, the Dewan has been pleased to order the publication in the Gazette of the City Municipalities (Fourth Amendment) Bill together with the Statement of Objects and Reasons.

By Order,

C. NARAYANASWAMY NAIDU,

Secretary to Government,
Law Department.

Act No ~~XXXIV~~ 41943

THE MYSORE CITY MUNICIPALITIES (FOURTH
AMENDMENT) BILL. Act 1943

(Received the assent of His Highness the Maharaja on the 27th day of July 1943)

WHEREAS it is expedient further to amend the Mysore City Municipalities Act, 1933 :—

It is hereby enacted as follows :—

Short title
and
commence-
ment.

1. (1) This Act may be called the Mysore City Municipalities (Fourth Amendment) Act, 1943
- (2) It shall come into force at once.

32

Insertion of a
new sub-
section in
Section 23,
Act VII of
1933.

2. In Section 23 of the Mysore City Municipalities Act, 1933, (hereinafter referred to as the said Act), the following sub-section shall be added after sub-section (13), namely :—

“(13-A). In cases not otherwise provided for, if the President of a Municipal Council is, for any reason, unable to perform his duties or exercise his powers as President or is disabled or prevented from performing or exercising such duties or powers, the Government may, for the period during which he is unable or disabled or prevented, authorise the Vice-President, or, in his absence or on his neglect or inability, the Municipal Commissioner, to perform all the duties and exercise all the powers of the President under this Act.”

3. (1) In clause (7) of Section 27 of the said Act, after the word "one-third" the words "or during such time as Government may by notification in the official Gazette direct less than one-fifth"; and after the words "whichever is greater" the words "or during such time as Government may by notification in the official Gazette direct not less than four councillors" shall be inserted.

(2) In clause (13) of Section 27 of the said Act, after the words "the majority of the councillors present" the words "or during such time as the Government may by notification in official Gazette direct with the consent of not less than four-fifths of the whole number of councillors present" shall be inserted.

4. The Mysore City Municipalities (Amendment) (Emergency) Act, 1942, continued by Mysore City Municipalities (Amendment) (Emergency Continuance) Act, 1943, is hereby repealed. But any rules made, anything done and any action taken in exercise of any power conferred by or under the said Emergency Act or by the said Emergency Act as continued by the Mysore City Municipalities (Amendment) (Emergency Continuance) Act, 1943, shall be deemed to have been made, done or taken in exercise of powers conferred by or under this Act as if this Act had commenced on the 22nd day of September 1942.

Repeal and savings.

(sd) N. M. C.

Statement of Objects and Reasons.

Sub-section (13) of Section 23 of the Mysore City Municipalities Act, 1933, which deals with the filling up of vacancies in the Office of President does not exhaustively provide for all cases where a municipal council is deprived of the services of that officer. Power is therefore necessary for the Government to authorise, in certain circumstances, the Vice-President or in his absence, or on his neglect or inability, the Municipal Commissioner, to perform the duties and exercise the powers of the President. The proposed sub-section (13-A) provides for this.

In special circumstances when the business of a municipal council may have to be proceeded with even if the quorum now required is not present, power must be available for the Government to specify a smaller quorum. It is also necessary that Government should have the power to change the quorum necessary to pass a

NOTIFICATION.

Order No. Rl. 172—Legis. 11-43-1, dated Bangalore, the 12th August 1943.

Ordered that the accompanying Mysore City Municipalities (Fourth Amendment) Act, 1943, which received the assent of His Highness the Maharaja on the 27th day of July 1943, be published as Act No. XXXIV of 1943, in the *Mysore Gazette*, for general information.

C. NARAYANASWAMY NAIDU,
*Secretary to Government,
Law Department.*

ACT No. XXXIV OF 1943.

THE MYSORE CITY MUNICIPALITIES (FOURTH AMENDMENT) ACT, 1943.

received the assent of His Highness the Maharaja on the 27th day of July 1943.)

WHEREAS it is expedient further to amend the Mysore City Municipalities Act, 1933 :—

It is hereby enacted as follows :—

1. (1) This Act may be called the Mysore City Municipalities (Fourth Amendment) Act, 1943.

(2) It shall come into force at once.

2. In Section 23 of the Mysore City Municipalities Act, 1933, (hereinafter referred to as the said Act), the following sub-section shall be added after sub-section (13), namely :—

“(13-A). In cases not otherwise provided for, if the President of a Municipal Council is, for any reason, unable to perform his duties or exercise his powers as President or is disabled or prevented from performing or exercising such duties or powers, the Government may, for the period during which he is unable or disabled or prevented, authorise the Vice-President; or, in his absence or on his neglect or inability, the Municipal Commissioner, to perform all the duties and exercise all the powers of the President under this Act.”

Short title
and
commence-
ment.

Insertion of a
new sub-
section in
Section 23,
Act VII of
1933.

Amendment
of Section 27,
Act VII of
1933.

3. (1) In clause (7) of Section 27 of the said Act, after the word "one-third" the words "or during such time as Government may by notification in the official Gazette direct less than one-fifth"; and after the words "whichever is greater" the words "or during such time as Government may by notification in the official Gazette direct not less than four councillors" shall be inserted.

(2) In clause (13) of Section 27 of the said Act, after the words "the majority of the councillors present" the words "or during such time as the Government may by notification in official Gazette direct with the consent of not less than four-fifths of the whole number of councillors present" shall be inserted.

Repeal and
savings.

4. The Mysore City Municipalities (Amendment) (Emergency) Act, 1942, continued by Mysore City Municipalities (Amendment) (Emergency Continuance) Act, 1943, is hereby repealed. But any rules made, anything done and any action taken in exercise of any power conferred by or under the said Emergency Act or by the said Emergency Act as continued by the Mysore City Municipalities (Amendment) (Emergency Continuance) Act, 1943, shall be deemed to have been made, done or taken in exercise of powers conferred by or under this Act as if this Act had commenced on the 22nd day of September 1942.